UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In Re

ACACIA MEDIA TECHNOLOGIES CORPORATION

Case No. C-05-0114JW

PROOF OF SERVICE

I hereby certify that:

1. I am a partner of the law firm Kaye Scholer LLP. My business address is 425 Park Avenue, New York, New York 10022.

2. On August 11, 2006, I caused to be served the ROUND 3 DEFENDANTS' CLAIM CONSTRUCTION MEMORANDUM REGARDING THE ASSERTED '863 CLAIMS AND THE PREVIOUSLY-CONSTRUED TERMS, the DECLARATION OF DAVID S. BENYACAR with EXHIBITS A-P, and ROUND 3 DEFENDANTS' DEMONSTRATIVE EXHIBITS (June 14-15, 2006 Markman Hearing) upon the parties listed in the attached service list by transmitting via the United States District Court for the Northern District of California Electronic Case Filing Program by uploading the electronic files for each of the above listed documents.

3. On August 11, 2006, I also caused three courtesy copies of the above-mentioned documents to be delivered to the Chambers of the Honorable James Ware.

4. I caused black and white copies of the above-described documents to be served by postage prepaid first class mail upon the parties listed in the attached service list.

Dockets.Justia.com

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 11, 2006

/s/ David S. Benyacar
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